

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Western District of Michigan

Case number (if known): _____ Chapter 11☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>Smokin' Dutchman Holdings, LLC</u>	
2. All other names debtor used in the last 8 years	<u>Smokin' Dutchman, LLC</u> <u>Dickey's Barbecue Pit</u> Include any assumed names, trade names, and <i>doing business</i> as names	
3. Debtor's federal Employer Identification Number (EIN)	<u>38-4041227</u>	
4. Debtor's address	Principal place of business <u>4212 Stadium Dr.</u> Number Street <u>Kalamazoo MI 49008</u> City State ZIP Code <u>Kalamazoo County</u> County	Mailing address, if different from principal place of business <u>PO Box 20358</u> Number Street <u>P.O. Box</u> <u>Kalamazoo MI 49019</u> City State ZIP Code Location of principal assets, if different from principal place of business Number Street City State ZIP Code
5. Debtor's website (URL)	<u></u>	
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____	

Debtor Smokin' Dutchman Holdings, LLC
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.naics.com/search/>.

2511

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).
☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes.

District _____ When MM / DD / YYYY Case number _____

If more than 2 cases, attach a separate list.

District _____ When MM / DD / YYYY Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes.

Debtor _____ Relationship _____

District _____ When MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known _____

Debtor Smokin' Dutchman Holdings, LLC Case number (if known) _____
 Name _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input checked="" type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Smokin' Dutchman Holdings, LLC
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 09/09/2024
MM / DD / YYYY

X /s/ Krage Fox

Signature of authorized representative of debtor

Krage Fox

Printed name

Title Member

18. Signature of attorney

X /s/ Perry Pastula

Signature of attorney for debtor

Date 09/09/2024

MM / DD / YYYY

Perry Pastula

Printed name

Dunn, Schouten & Snoap, P.C.

Firm name

2745 DEHOOP AVE SW

Number Street

WYOMING

City

MI

State

49509

ZIP Code

616-538-6380

Contact phone

ppastula@dunnsslaw.com

Email address

P35588

Bar number

MI

State

Smokin' Dutchman Holdings, LLC

Debtor

First Name

Middle Name

Last Name

Case number (if known)

Continuation Sheet for Official Form 201

4) Debtor's Addresses

Business

380 East Division Rockford, MI 49341,
Kent County

Business

420 Baldwin St. Suite B Jenison, MI
49428, Ottawa County

Business

12579 Felch Rd. Suite 30 Holland, MI
49424, Ottawa County

RESOLUTION OF MEMBERS OF SMOKIN' DUTCHMAN HOLDINGS, LLC

WHEREAS, it is in the best interest of Smokin' Dutchman Holdings LLC ("Company"), a Michigan Limited Liability Company to file a voluntary petition for relief in the United States Bankruptcy Court pursuant to Subchapter V of Chapter 11 of Title 11 of the United States Code and potentially the wholly owned subsidiaries of Company;

WHEREAS, the undersigned Krage B. Fox and Michael T. Kakabeeke hold all the membership interest in the Company;

BE IT THEREFORE RESOLVED that Krage B. Fox, member of the Company is authorized and directed to execute and deliver all documents necessary to perfect the filing of bankruptcy cases for the Company and potentially the wholly owned subsidiaries of Company under Subchapter V of Chapter 11 of the Bankruptcy Code; and

BE IT FURTHER RESOLVED that Krage B. Fox is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company and its wholly owned subsidiaries and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Company and its wholly owned subsidiaries in connection with such bankruptcy cases, and

BE IT FURTHER RESOLVED, that Krage B. Fox is authorized and directed to employ Perry G. Pastula, attorney, and the law firm of Dunn, Schouten & Snoap P.C., to represent the Company and its wholly owned subsidiaries in such bankruptcy cases.

Date: 8/28/24

Date: 8/28/24



Krage B. Fox, Member



Michael T. Kakabeeke, Member

Fill in this information to identify the case:Debtor name Smokin' Dutchman Holdings, LLCUnited States Bankruptcy Court for the: Western District of Michigan

Case number (if known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Mulligan Funding 4715 Viewridge Ave. Suite 100 San Diego, CA, 92123	Patrick Foran pforan@mulliganfunding.com					60,069.00
2	Van Wagner Sports & Ent., LLC c/o Szabo Associates, Inc. 3355 Lenox Rd. NE. Ste. 945 Atlanta, GA, 30326	info@szabo.com	Services				19,800.00
3	Vander Roest Homes 2419 N. 3rd St. Kalamazoo, MI, 49009	Dan Vander Roest 2692077165 vrfinehomes.com	Services				7,241.00
4	Capital One PO Box 4069 Carol Stream, IL, 60197	AIS.cocard.ebn@aisinfo.com	Credit Card Debt				5,000.00
5	Golden & Jernigan, PC c/o Velo Law 1750 Leonard St. NE Grand Rapids, MI, 49505	info@velo.law	Collection Agency	Disputed Unliquidated Contingent			4,867.89
6	UHY Accounting Serv. 7171 Stadium Dr. Kalamazoo, MI, 49009	UHY Advisors JValk@uhy-us.com	Services				4,375.00
7	Dady Gardner 5100 TDS Center 80 South 8th St. Minneapolis, MN, 55402	sekorzenowski@dadygardner.com	Services				2,616.00
8	Consumers Energy PO Box 740309 Cincinnati, OH, 45274	8004775050 bankruptcy_notices@cmsenergy.com	Utility Services				2,580.00

Debtor

Smokin' Dutchman Holdings, LLC

Case number (if known)

Name

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Consumers Energy PO Box 740309 Cincinnati, OH, 45274	bankruptcy_notices@cmsenergy.com	Utility Services				2,181.00
10	Consumers Energy PO Box 740309 Cincinnati, OH, 45274	bankruptcy_notices@cmsenergy.com	Utility Services				1,508.00
11	Consumers Energy PO Box 740309 Cincinnati, OH, 45274	bankruptcy_notices@cmsenergy.com	Utility Services				1,339.00
12	Charter Communications PO Box 6030 Carol Stream, IL, 60197	8889904577	Utility Services				498.00
13	Spectrum Mobile c/o Credit Control, LLC 3300 Rider Trail S., Suite 500 Earth City, MO, 63045	correspondence@credit-control.com					468.44
14	Comcast Internet 1701 John F. Kennedy Blvd. Philadelphia, PA, 19103	accessibility@comcast.com	Utility Services				178.00
15	DTE Energy One Energy Plaza Detroit, MI, 48226	brupt1@dteenergy.com	Utility Services				161.00
16	Comcast Internet 1701 John F. Kennedy Blvd. Philadelphia, PA, 19103	accessibility@comcast.com	Utility Services				152.00
17	DTE Energy One Energy Plaza Detroit, MI, 48226	brupt1@dteenergy.com	Utility Services				129.00
18	SEMCO Gas 712 N. Black River Dr. Zeeland, MI, 49464	8006242019	Utility Services				127.00
19							
20							

United States Bankruptcy Court

IN RE:

Case No. _____

Smokin' Dutchman Holdings, LLC

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Registered name and last known address of security holder	Shares (Or Percentage)	Security Class (or kind of interest)
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Krage Fox 2050 South Forth Street, Kalamazoo, MI 49009	50	
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Michael Kakabeeke 125 Pratt Rd., Kalamazoo, MI 49001	50	
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United States Bankruptcy Court
Western District of Michigan

In re: Smokin' Dutchman Holdings, LLC

Case No.

Chapter 11

Debtor(s)

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: 9/9/2024


/s/ Krage Fox

Signature of Individual signing on behalf of debtor

Member

Position or relationship to debtor

Cameron W. Kinvig
4514 Cole Ave.
Suite 1015
Dallas, TX 75205

Capital One
PO Box 4069
Carol Stream, IL 60197

Capital One
PO Box 30285
Salt Lake City, UT 84130

Capital One
4515 N Sante Fe Ave.
Oklahoma City
Oklahoma City, OK 73118

Charter Communications
PO Box 6030
Carol Stream, IL 60197

Charter Communications
PO Box 94188
Palatine, IL 60094

Comcast
PO Box 4089
Carol Stream, IL 60197

Comcast
41112 Concept Dr.
Plymouth, MI 48170

Comcast Internet
1701 John F. Kennedy Blvd.
Philadelphia, PA 19103

Consumers Energy
PO Box 740309
Cincinnati, OH 45274

Consumers Energy

Dady Gardner
5100 TDS Center
80 South 8th St.
Minneapolis, MN 55402

Dahl BQ Loan
4721 E. Beltline
Grand Rapids, MI 49525

Dickey's Barbecue Restaurants, Inc.
18583 N. Dallas Parkway
Suite 120
Dallas, TX 75287

DTE Energy
One Energy Plaza
Detroit, MI 48226

Element 22 Commercial Group
2425 11th Street
Suite D
Kalamazoo, MI 49009

Golden & Jernigan, PC
c/o Velo Law
1750 Leonard St. NE
Grand Rapids, MI 49505

Huntington National Bank
41 S. High St.
Columbus, OH 43215

IDEA 247 Inc.
200 SE 1st St.
Suite 703
Miami, FL 33131

Internal Revenue Service
Central Insolvency Operations
POB Xo 7346
Philadelphia, PA 19101

Jenique, LLC
4721 E. Beltline Ave. NE
Rockford, MI 49341

Kalamahajan, LLC
628 W. Milham Ave.
Portage, MI 49024

KALSEE Credit Union
5220 Lover Ln
Kalamazoo, MI 49001

KALSEE Credit Union-Car Loan
5220 Lover Ln
Portage, MI 49002

Kancov Investment Ltd. Pt.
27750 Stansbury
Suite 200
Farmington, MI 48334

Krage Fox
2050 South 4th Street
Kalamazoo, MI 49009

Krage Fox
2050 South Forth Street
Kalamazoo
MI 49009

Marie Fox
2050 South 4th Street

Michael Kakabeeke
125 Pratt Rd.
Kalamazoo, MI 49001

Michael Kakabeeke
125 Pratt Rd.
Kalamazoo
MI 49001

Michigan Dept of Treasury
Business Taxpayer Services
PO Box 30427
Lansing, MI 48909

Michigan Dept of Treasury
Collection Division/Bankruptcy
PO Box 30168
Lansing, MI 48909

Michigan Dept of Treasury
Collections Division/Bankruptcy
PO Box 30168
Lansing, MI 48909

Michigan Unemployment Agency
3024 West Grand Blvd.
Suite 11-500
Detroit, MI 48202

Mike Kakabeeke -
125 Pratt Rd.
Kalamazoo, MI 49001

Mulligan Funding
4715 Viewridge Ave.
Suite 100
San Diego, CA 92123

Nicole Mazzocco, Asst. US Attorney
330 Ionia NW
Suite 500
Grand Rapids, MI 49503

North Star Leasing
PO Box 4505
Burlington, VT 05406

Platt Richmond
1201 N. Riverfront Blvd
Suite 150
Dallas, TX 75207

Richard and Elen Fox
3840 Arbutus Tr.
Portage, MI 19024

Rockzza II, LLC
4721 E. Beltline Ave. NE
Rockford, MI 49341

SEMCO Gas
712 N. Black River Dr.
Zeeland, MI 49464

Smokin' Dutchman Holland, LLC
2050 South 4th Street
Kalamazoo, MI 49009

Spectrum Mobile
c/o Credit Control, LLC
3300 Rider Trail S., Suite 500
Earth City, MO 63045

Spectrum Business
4145 S. Falkenburg Rd.
St. Leo, FL 33578

Toast, Inc.
401 Park Drive
Suite 801
Boston, MA 02218

Toast, Inc.
401 Park Drive
Suite 801
Boston, 02218

U.S. Small Business Administration
1 North Street
Birmingham, AL 35203

U.S. Small Business Administration
409 3rd St.
Washington, DC 20416

UHY Accounting Serv.
7171 Stadium Dr.
Kalamazoo, MI 49009

US Small Business Administration
2 North Street
Suite 320
Birmingham, AL 35203

US. Small Business Administration
2 North Street
Birmingham, AL 35203

Van Wagner Sports & Ent., LLC
c/o Szabo Associates, Inc.
3355 Lenox Rd. NE, Ste. 945
Atlanta, GA 30326

Vander Roest Homes
2419 N. 3rd St.
Kalamazoo, MI 49009